

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

V.

MARK ANTHONY GRIMES

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No. SA-14-CR-790(1)-DAE

ORDER

Upon motion of the defendant for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors set forth in 18 U.S.C. § 3553(a) as applicable here and the applicable policy statements issued by the Sentencing Commission to the extent they are consistent with a sentencing reduction,

IT IS ORDERED that the motion is:

☐ GRANTED.

☐ The defendant's previously imposed sentence of imprisonment of _____ months is reduced to _____ months. If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a time-served sentence; or

☐ Time served.

☐ In order to allow the Bureau of Prisons and Probation time to process the defendant for release, the Bureau of Prisons may delay the defendant's release up to _____ days after the Clerk of Court enters this Order on the docket.

Except as otherwise provided, all provisions of the judgment dated _____ shall remain in effect.

☒ DENIED after complete review of the motion on the merits. Defendant has failed to demonstrate that he is not a danger to the safety of any other person or the community. Defendant was convicted of distribution of child pornography. Defendant admits an interest in toddler pornography files, to include babies and infants that are tied and bound, and an overpowering sexual arousal in viewing children between the ages of five and six who are receiving oral sex from an adult male. Defendant confessed to having visual attractions to underage children in public places. During the execution of a search warrant at the defendant's home, FBI agents seized a desktop computer that contained over 3800 images depicting the graphic sexual exploitation of children, including infants and toddlers. The Court finds Defendant would continue to pose a danger to the community if released. Additionally, the § 3553(a) factors do not support an early release in this case. The nature and circumstances of Defendant's offense alone do not justify a reduced sentence. Moreover, Defendant's guideline range in this case was 210 to 240 months. The Court sentenced Defendant to 185 months. Defendant still has approximately 10 years to serve and has not yet participated in any sex offender treatment programs while in prison. Reducing Defendant's sentence will not adequately reflect the seriousness of his offense, promote respect for the law, provide just punishment for the offense, adequately deter criminal conduct, or protect the public from further crimes. See 18 U.S.C. § 3553(a).

IT IS SO ORDERED.

September 21, 2020
DATE



SENIOR UNITED STATES DISTRICT JUDGE